

REMARKS

In the Office Action dated February 6, 2008, Claims 1-53 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Application Publication No. 2005/0131957 to Watkinson ("Watkinson") in view of U.S. Patent Application Publication No. 2004/0172484 to Hafsteinsson et al. ("Haf"). As explained below, Applicants respectfully submit that the claimed invention of independent Claims 1, 14, 25, 34, and 43, and by dependency Claims 2-13, 15-24, 26-33, 35-42, 44-49 and 50-53 are patentably distinct from the cited references, viewed alone or in combination. As such, in light of the subsequent remarks, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

Independent Claims 1, 14, 25, 34, and 43

Independent Claims 1, 14, 25, and 43 of the present application generally recite, amongst other things, that the mobile terminal executes a web server that provides for a remote network device to access the mobile terminal via a network connection. Specifically, independent Claim 1 recites a "mobile terminal apparatus . . . comprising . . . a web server." Independent Claim 14 recites "providing a mobile terminal that implements a web server," "initiating a web browser application at a remote network device," and "accessing, at the remote network device, the mobile terminal via a network connection to the web server of the mobile terminal." Independent Claim 25 recites "a web server executed by the mobile terminal." Independent Claim 43 recites "a mobile terminal including a first data processing device that executes a web server" and "a remote network device including a second data processor device that executes a web browser application that provides access to the web server of the mobile terminal." Although independent Claim 34 does not specifically recite a "web server," Claim 34 is directed to such an application that is capable of providing a remote network device access to a mobile terminal, and of providing the accessed remote network device functional access to one or more devices associated with the mobile terminal.

The Office Action admits that Watkinson does not disclose a web server application that provides for a remote network device to access the mobile terminal via a wireless

communication link. In the Office Action of July 13, 2007, the Examiner relied on U.S. Pat. No. 5,671,436 to Morris et al. ("Morris") as disclosing a web server application that provides for a remote device to access the mobile terminal via a wireless communication link. Applicants previously argued, however, that Morris does not disclose a web server that provides for a remote network device to access a mobile terminal. *See* response to Office Action of July 13, 2007, filed on November 27, 2007.

The Examiner now relies on Haf as disclosing a web server that provides for a remote network device to access a mobile terminal. Applicants submit, however, that Haf, like Morris, does not disclose a web server executed by a mobile terminal as recited by independent Claims 1, 14, 25, 34, and 43. Haf, instead discloses a system and method for communication of data between a web server and a mobile device equipped with a browser, such as a WAP browser. In this regard, Haf relates to the transfer of data from a data source, i.e. a remote web server, to devices with limited processing and display capabilities, i.e. a mobile terminal. Source data is converted from a first format, such as standard web formats, to a second format, such as WML native to a WAP enabled mobile terminal. *See, e.g.* paragraph 57. As such Haf does not teach or suggest a web server executed by a mobile terminal allowing remote network devices to access data or devices of the mobile terminal, as is recited by independent Claims 1, 14, 25, 34, and 43.

Therefore, since neither cited reference discloses a mobile terminal having a web server that provides a remote device with access to the mobile terminal (or devices associated with the mobile terminal), no combination of the cited references discloses a mobile terminal having such a web server. Thus independent Claims 1, 14, 25, 34, and 43 are patentably distinct over the cited references, taken alone or in combination, and in condition for allowance. Since each dependent claim includes all of the recitations of a respective independent claim, Applicants submit that all of the dependent claims are as well patentably distinct over the cited references taken alone or in combination for at least the reasons discussed above as well as the below arguments with respect to certain dependent claims.

Dependent Claims 6, 18, 21-24, 39-42, and 46

These dependent claims all generally recite accessing devices associated with the mobile terminal from a remote network device. These devices may include, for example, a telephone, camera, video recording device, GPS receiver, or audio recording device. The Office Action posits that Watkinson discloses that the content engine application provides for functional access by the remote network device to one or more mobile terminal devices. Applicants submit that paragraph 24 in particular, as well as other paragraphs of Watkinson cited by the Office Action, and, indeed, the entirety of Watkinson, does not teach or disclose allowing a remote network device to access one or more devices associated with the mobile terminal, but rather merely discloses remotely accessing databases (which are not disclosed to be resident on or at a mobile terminal). Thus Applicants submit that Claims 6, 18, 21-24, 39-42, and 46 are patentably distinct over the cited references taken alone or in combination, for this additional reason.

Dependent Claims 27, 29-30, and 32

The Office Action states that Paragraphs 14, 21-28, 33, and 43 of Haf disclose the recitation of Claim 27 wherein managing the mobile terminal includes accessing the applications associated with the mobile terminal to provide diagnostic analysis to the mobile terminal, as well as the recitations of dependent Claims 29-30 and 32 which claim monitoring various aspects of mobile terminal performance. Applicants respectfully submit that the cited portions of Haf relate merely to converting data from a first format to a second device-specific format so that it may be received by the receiving device. Accordingly, Haf, nowhere teaches or suggests providing diagnostic analysis or otherwise monitoring the mobile terminal performance. Thus the recitations of Claims 27, 29-30 and 32 are patentably distinct from the cited prior art taken alone, or in combination, for this additional reason.

Dependent Claim 28

The Office Action states that Paragraphs 14-16 of Haf disclose the step of debugging the mobile terminal by tracing data communicated from the mobile terminal. Applicants again

Appl. No.: 10/752,891
Amdt. dated 03/21/2008
Reply to Office Action of February 6, 2008

submit, however, that Haf does not teach or disclose debugging the mobile terminal, but rather only teaches converting data from a first format to a second device-specific format so that it may be received by the receiving device. Applicants thus submit that Haf does not teach or suggest debugging of the mobile terminal as claimed by Claim 28 and thus Claim 28 is patentably distinct over the cited references, taken alone or in combination, for this additional reason.

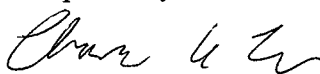
Appl. No.: 10/752,891
Amdt. dated 03/21/2008
Reply to Office Action of February 6, 2008

Conclusion

In view of the remarks presented above, it is respectfully submitted that the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Charles A. Leyes
Registration No. 36,898

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON March 21, 2008.

LEGAL02/30122888v1